

REMARKS

By this amendment, claims 1, 2, 5, and 6 have been amended. These amendments are made to more clearly recite the claimed invention, do not add prohibited new matter and are fully supported by the specification. Reconsideration and withdrawal of the rejections set forth in the outstanding Office Action are respectfully requested in view of the foregoing amendments and the following remarks.

Interview Summary

Applicants respectfully thank Examiner Hartman for his courtesy in conducting a telephone interview with Applicants' representative, Azza Jayaprakash, on October 17, 2008. During the interview, the Examiner's interpretation of the claims and the cited art was discussed. The Examiner indicated that the present claim amendment (i.e., "a terminal, distinct from the remote control device") appears to overcome the art-based rejections. Applicants thank the Examiner for providing guidance on each of the rejections, and have taken the Examiner's comments into consideration in preparing the present response.

Rejection under 35 U.S.C. § 102(e)

The Office Action rejects claims 1-2 and 5-6 under 35 U.S.C. § 102(e) as being anticipated by Zintel et al. (U.S. Patent No. 6,725,281, hereinafter "ZINTEL"). Applicants respectfully traverse the ground of the rejection.

The outstanding Office Action asserts that the terminal and the control device can be the same device. Specifically, the Examiner asserts that "the remote control device may be a remote

controller with an input mechanism, the input mechanism being viewed to be the terminal.” It appears that the art-based rejections are based on this interpretation of the claims (see page 2 of the Detailed Action). Applicants disagree with this interpretation of the claimed invention.

Without agreeing with or acquiescing to the rejection, Applicants note that independent claims 1, 2, 5, and 6 have been amended to recite “a terminal distinct from the remote control device.” This amendment has been made to further clarify the claimed invention. In Applicants’ interview dated October 17, 2008, the Examiner indicated that this amendment appears to overcome the 35 U.S.C. § 102(e) rejection. Because the interpretation of the claims presented in the outstanding Office Action is no longer valid, Applicants submit that ZINTEL fails to disclose all of the elements of the claimed invention, as required for setting forth an anticipation rejection under 35 U.S.C. § 102(e).

Furthermore, it appears that the Examiner has disregarded certain elements of the claimed invention, such as the claimed WEB display data generator. On page 3 of the Detailed Action of the Office Action, the Examiner appears to suggest that the generation of WEB display data should be disregarded because the display of such data is not recited. Without agreeing with or acquiescing to the rejection, Applicants note that the claims have been amended to recite “a WEB display data generator that generates WEB display data utilized to generate the WEB display.” Thus, the WEB display is generated using the WEB display data. Applicants further submit that ZINTEL also fails to disclose this feature of independent claims 1, 2, 5, and 6.

For at least these reasons, Applicants submit that ZINTEL fails to disclose the claimed configuration of features and, therefore, fails to appreciate the advantages thereof. Accordingly, Applicants submit that ZINTEL fails to disclose each and every feature of the claimed invention, as

required under 35 U.S.C. § 102(e), and respectfully request withdrawal of this ground of rejection.

Rejection under 35 U.S.C. § 103(a)

The Office Action also rejects claims 3-4 and 7-12 under 35 U.S.C. § 103(a) as being obvious over ZINTEL in view of Official Notice.

For the reasons provided above, Applicants submit that ZINTEL fails to disclose all of the elements of the claimed invention. As the Examiner merely relies upon Official Notice to teach utilizing a VCR to record a received television broadcast, it is submitted that the Examiner's reliance on Official Notice does not cure the aforementioned deficiencies of ZINTEL. Therefore, Applicants submit that the combination of ZINTEL and Official Notice (either alone or in any proper combination) fail to disclose, suggest, or render obvious all of the elements of the claimed invention, and respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection.

Lastly, the dependent claims recite further patentable subject matter and are believed to be allowable for the reasons noted above in addition to reasons related to their own recitations. Consequently, Applicants respectfully request that the Examiner withdraw the outstanding rejections of the independent claims and indicate their allowability.

CONCLUSION

In view of the foregoing, it is submitted that the Examiner's rejections should be withdrawn. Entry and consideration of the present amendment, reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate.

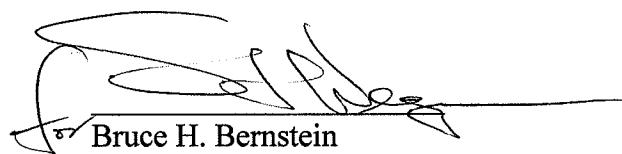
Although it is within the discretion of the Examiner to enter amendments made after a Final Office Action, Applicants submit that the amendments do not raise new issues, and should not necessitate a new search, as the claim amendments merely clarify that which was argued in the last filed response. Therefore, Applicants respectfully request that the Examiner enter the present response. Applicants have made a sincere effort to place the present invention in condition for allowance and believe that they have now done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

If any additional fee is deemed to be necessary to maintain the pendency of the application, including any extension of time fee for entry of an Examiner's Amendment, the United States Patent and Trademark Office is hereby requested and authorized to charge any necessary fees to Deposit Account No. 19-0089.

If there should be any questions concerning this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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November 3, 2008
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